REMARKS

Upon entry of the present amendment, claims 1, 10 and 13 will have been amended to more clearly define features of the present invention in accordance with a discussion with the Examiner conducted during a telephone interview on September 19, 2006.

In view of the hereincontained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over MIYAMOTO (U.S. Patent No. 6,593,965) in view of KONDO et al. (U.S. Patent No. 5,912,708) and further in view of HAYASHI (U.S. Patent No. 5,734,427). Claims 1-9, 11 and 12 were rejected under 35 U.S.C § 103(a) as being unpatentable over MIYAMOTO in view of KONDO further in view of TSANG et al. (U.S. Patent No. 5,900,623) and further in view of HAYASI. Applicant respectfully traverses each of the above rejections and submits that they are inappropriate with respect the claims previously pending in the present application and certainly in view of the claims presently pending in the present application.

In the Response under 37 C.F.R. § 1.116 filed on September 14, 2006, Applicant traversed the propriety of the above-noted rejections set forth in the above-mentioned Official Action. In the above-mentioned Response, Applicant set forth a clear evidentiary basis showing that the outstanding Final Rejection has failed to establish a *prima facie* case of obviousness. In particular, Applicant set forth reasoning why one of ordinary skill in the art would not have been motivated to combine MIYAMOTO, KONDO

and HAYASHI and further together with the teaching of TSANG. Those reasons are submitted to be determative of the patentability of the claims in the present application, and Applicant does not, in filing the present response, which includes amendments to the claims, in any way waiver from the applicability of the arguments set forth in the previous Response filed under 37 C.F.R. § 1.116.

However, during an interview conducted by telephone in the present application on September 19, 2006, the Examiner suggested that if the claims in the present application are amended to more clearly define Applicant's invention, then the claims would clearly define over the prior art of record herein. In this regard, Applicant respectfully notes the Interview Summary filed in the present application on October 5, 2006, and the Examiner's Interview Summary Form mailed in the present application on September 26, 2006.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action together with an indication of the allowability of all the claims pending herein, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

In this regard, Applicant notes that the present application is subject to Final Rejection and that an Applicant does not have a right to amend an application once a Final Rejection has been mailed. Nevertheless, entry and consideration of the present amendment is submitted to be appropriate and proper under the guidelines of 37 C.F.R. § 1.116. In particular, since the above-noted amendments were discussed with and suggested by the Examiner, it is self-apparent that he has considered them and that

inherently no new issues requiring further consideration or search would result from entry of these amendments.

Accordingly, entry of the amendments, reconsideration of the outstanding rejection and an indication of the allowability of all the claims pending herein is respectfully requested, in due course.

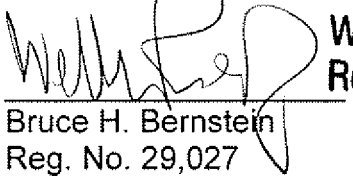
SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the claims in accordance with suggestion by the Examiner in a telephone interview conducted in the present application. Applicant has additionally reiterated the propriety of the arguments and bases for patentability set forth in the prior Response under 37 C.F.R. § 1.116 filed in the present application on September 14, 2006. Applicant has thus provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Koichi SATO



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October 16, 2006
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